IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 19468 of 2006(P)

PETITIONERS:
----

1. ARAVINDAKSHAN NAIR,
S/O.NARAYANAN NAIR, AGED 61 YEARS,
RETIRED EMPLOYEE, RESIDING AT UPENDRA VILLA,
POOKATTUPADY, EDATHALA, KIZHAKKAMBALAM VILLAGE,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

2. BALAMANI AMMA, W/O.ARAVINDAKSHAN NAIR,
AGED 56 YEARS, UPENDRA VILLA,
POOKATTUPADY, KIZHAKKAMBALAM,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.WILSON URMESE

RESPONDENTS:
----

1. VIJAYAKUMAR, S/O.SIVASANKARAN NAIR,
VAIKATH PUTHEN VEEDU, OORAKKADU,
EDATHALA P.O., KIZHAKKAMBALAM.

2. HARIKUMAR, S/O.SIVASANKARAN NAIR,
VAIKATH PUTHEN VEEDU, OORAKKADU,
EDATHALA P.O., KIZHAKKAMBALAM.

3. ARAVINDAKSHAN, S/O. SIVASANKARAN NAIR,
VAIKATH PUTHEN VEEDU, OORAKKADU,
EDATHALA P.O., KIZHAKKAMBALAM.

4. THE SUB INSPECTOR OF POLICE,
THADIYITTAPARAMBA POLICE STATION.

5. STATE OF KERALA, REPRESENTED BY THE SECRETARY, HOME DEPARTMENT, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. P.A.SALIM
SRI.M.A.ABDUL HAKHIM --- R1
SRI.G.RAJAGOPAL -- R2 AND R3
SRI.THOMAS M.JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 19468/2006 P

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE DEED NO. 5845/05 EXECUTED BY THE R1 IN FAVOUR OF THE PETITIONERS.

EXT.P2. COPY OF THE TAX RECEIPT WITH RESPECT TO THE PROPERTY PURCHAED AS PER SALE DEED NO. 5845/1/2005.

EXT.P3. COPY OF THE COMPLAINT BY THE P1 TO R4 POLICE SATED 19/07/2006.

RESPONDENT'S EXHIBITS NIL.

EXT.R2A. COPY OF THE PLAINT IN OS NO. 252/2006 ON THE FILES OF THE MUNSIFF COURT, PERUMBAVOOR.

EXT.R2B. COPY OF THE ORDER DT.21/07/2006 IN IA NO. 1464/06 IN OS NO. 252/2006 ON THE FILES OF THE MUNSIFF'S COURT, PERUMBAVOOR.

True copy

tga

K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

W.P.(C) No.19468 of 2006-P

Dated 7th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioners have approached this Court, alleging obstruction caused to the enjoyment of a property purchased by them from the part of respondents 1 to 3. The learned counsel for respondents 1 to 3 submitted that there was a civil dispute between respondents 1 to 3 and the petitioners as to whether the petitioners have purchased the entire property including the sarpakavu situated therein. According to the party respondents, the sarpakavu was not conveyed to the petitioners. Now, after negotiation between the parties, the said dispute has been settled and there is no obstruction from the part of respondents 1 to 3 in the petitioners enjoying the said property, submits the learned counsel for respondents 1 to 3. In view of the above submission, no orders are

required in this writ petition. Accordingly, it is closed.

K. BALAKRISHNAN NAIR, JUDGE

HARUN-UL-RASHID, JUDGE.

nm.